

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-20150 - APPLICANT: DIAMOND SPRINGS LLC - OWNER:
FIRST SOUTHERN BAPTIST CHURCH

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1/d vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Southeast Sector Plan of the Master Plan from the PF (Public Facilities) Master Plan Designation to the O (Office) Master Plan Designation on 0.69 acres of property located on the east side of 6th Street, 335 feet south of St. Louis Avenue.

Companion requests for a Rezoning (ZON-20151), Variance (VAR-20152), and Site Development Plan Review (SDR-20149) have been filed with this application. The applicant is seeking to ultimately develop an 11,100 square-foot professional office building for this location.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/05/58	The Board of Commissioners for the City of Las Vegas approved a Use Permit (U-0001-58) to construct, maintain, and use a church on property located at the southeast corner of 6 th Street and St. Louis Avenue.
08/29/75	The Board of Zoning Adjustment approved a Use Permit (U-0056-75) to allow the operation of a child care nursery, a pre-school, and to conduct educational programs on property located at 700 E. St. Louis Avenue.
06/23/92	The City Council approved the reclassification of property (Z-0024-92) located at 700 East St. Louis Avenue from R-1 (Single Family Residential) zoning to C-V (Civic) zoning for the remodel and expansion of an existing church.
04/12/07	The Planning Commission recommended approval of companion items ZON-20151; VAR-20152 and SDR-20149 concurrently with this application. The Planning Commission voted 5-0-1/d to recommend APPROVAL (PC Agenda Item #44/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
02/09/07	A meeting was held with staff regarding the requirements to develop a vacant parcel associated with an existing church into an 11,100 SF professional office building. The applicant was informed of the requirements of a General Plan Amendment from the "PF" land use to "O", a Rezoning, a Variance from residential adjacency setbacks, and Site Development Plan Review.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was scheduled in the First Southern Church, Fellowship Hall, 700 E. St. Louis at 5:30pm.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Net Acres	0.69 acres		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic) Zone
North	Church	PF (Public Facilities)	C-V (Civic) Zone
South	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential) Zone
East	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential) Zone
West	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential) Zone

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEFINITIONS

PF (Public Facilities) The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

O (Office) The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

ANALYSIS

The 0.69 acre parcel is currently undeveloped and is situated between a church to the north, undeveloped parcels to the south, and single family homes to the east and west. From a land use perspective, this property is most suitable for low-intensity commercial uses that serve as a buffer between more intense commercial uses to the south and the civic uses to the north, and the residential uses to the east and west. The proposed General Plan Amendment from PF (Public

Facilities) to O (Office), along with the requests for Rezoning (ZON-20151), Variance (VAR-20152), and Site Development Plan Review (SDR-20149) seek to ultimately allow the development of an 11,100 square-foot professional office building.

Because the neighboring properties to the south are under the SC (Service Commercial) General Plan category with the C-1 (Service Commercial) Zoning District being best suited for this type of project, staff recommends denial on the O (Office) General Plan Amendment and the Rezoning to the “O” (Office) zoning district as approval of this request would constitute Spot Zoning.

The site is located within the Neighborhood Revitalization Strategy Area of the 2020 Master Plan, which has policies encouraging infill development. Specifically, Policy 2.1.2 of that Strategy Area reads “That development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development”. Although the proposed professional office use is within the parameters of the policy intentions of the Neighborhood Revitalization Strategy Area, a low-intensity commercial use designed in respect to adjacent residential uses can be accomplished with the SC (Service Commercial) land use designation without resulting in a parcel that maintains an isolated land use code such as the request at-hand.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

An approved General Plan Amendment to the O (Office) category would allow the development of a professional office on the subject site. However, although this use will be compatible with the existing commercial uses to the south, staff recommends that the SC (Service Commercial) General Plan category is better more appropriate because it is consistent with the parcels to the south.

- 2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The proposed O (Office) land use is not compatible with the existing adjacent C-V (Civic) zoned property to the north as the recommended General Plan category of SC (Service Commercial) does not support the “O” (Office) zoning district.

The request for a Rezoning (ZON-20151) to the O (Office) zoning district for this single parcel constitutes “Spot Zoning”, defined by Title 19.20 as:

“Spot Zoning: Rezoning of a lot or parcel or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan.”

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

Access to the site is provided by 6th Street, a 60-foot wide local street which will not be adversely impacted by this request.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

The subject area is located within the Neighborhood Revitalization Area of the Las Vegas 2020 Master Plan. One of the listed objectives for this area is: “To improve the amount and quality of infill development on vacant and underutilized lands within established areas of the City (Objective 2.6).” The reclassification of the subject property to SC (Service Commercial) would be better suited to enable this property to develop a use that is compatible to existing adjacent development and further this objective of the Las Vegas 2020 Master Plan without creating a condition of Spot Zoning to the “O” (Office) Zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 310 by Planning Department

APPROVALS 0

PROTESTS 1